

UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF WYOMING

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STEPHANIE WADSWORTH, :
Individually and as :
Parent and Legal :
Guardian of W.W., K.W., :
G.W. and L.W., minor : Case No.
children, and MATTHEW : 2:23-cv-00118-NDF JURY
WADSWORTH, :

Plaintiff, :

v. :

WALMART, INC. and JETSON :
ELECTRIC BIKES, LLC, :

Defendants. :

DEPOSITION OF STEPHANIE WADSWORTH
TAKEN THROUGH
VERITEXT

Taken on Tuesday, February 27, 2024
8:59 a.m. to 12:55 p.m.

At HAMPTON INN
1055 Wild Horse Canyon Road
Green River, Wyoming 82935

Job No. CS6457160
Reported by: Abigail D.W. Johnson, RPR, CRR, CRC

1 A. Yes.

2 Q. And Matthew is a smoker as well; correct?

3 A. Yes.

4 Q. Okay. And how much does he smoke a day?

5 A. I don't know. I'm not him.

6 Q. Okay. Does he -- does it appear that he
7 roughly smokes consistent with what you smoke per day?

8 A. Yes.

9 Q. Okay. And when you smoke a pack a day, I
10 assume cigarettes as opposed to cigars or something
11 else?

12 A. Correct.

13 Q. Okay. Any marijuana use?

14 A. No.

15 Q. Any other drug use?

16 A. No.

17 Q. How about Matthew? Any marijuana use for
18 him?

19 A. No.

20 Q. Any other drug use for him?

21 A. No.

22 Q. How long have you smoked?

23 A. Twenty years.

24 Q. Okay. Any alcohol consumption?

25 A. Yes.

1 Q. How often is that?

2 A. Most days.

3 Q. And what's the average daily alcohol
4 consumption?

5 A. I don't know. I don't keep track.

6 Q. Okay. Is it beer, wine or liquor?

7 A. Liquor.

8 Q. Okay. And what's the -- any special type?

9 A. Jäger.

10 Q. Okay. There is some reference in your
11 records to whisky as well, is that --

12 A. I consider Jäger whisky.

13 Q. Oh, okay. It might be.

14 A. I think it's actually a liqueur, but I
15 don't know what the difference between a liqueur and a
16 whisky is.

17 Q. Roughly, how many drinks per day?

18 A. I don't know.

19 Q. Okay. More than five?

20 A. Yes.

21 Q. More than ten?

22 A. Maybe.

23 Q. Okay. And was that consistent with before
24 the fire as well?

25 A. It's worse now.

1 Q. Okay. How was it before the fire?

2 A. It was --

3 Q. As far as, what was your average daily
4 alcohol intake?

5 A. Not a lot less than now.

6 Q. Okay. So somewhere around ten or so?

7 A. Sure.

8 Q. Have you ever had any alcohol-related
9 treatment?

10 A. No.

11 Q. Do you vape at all?

12 A. No.

13 Q. Have you ever?

14 A. I might have --

15 Q. Not just, like, once or twice, but --

16 A. Oh, no.

17 Q. Okay. How about Matthew, does he vape?

18 A. Yes.

19 Q. Did he before the fire?

20 A. I don't know.

21 Q. Okay.

22 MR. LAFLAMME: I'm going to mark this as
23 Exhibit 42.

24 (Exhibit No. 42 was marked
25 for identification.)

1 Q. Okay. You just didn't want to smoke in the
2 house because of the kids?

3 A. I don't smoke around -- enclosed around the
4 kids --

5 Q. Okay.

6 A. -- ever.

7 Q. So when you were home and you would smoke,
8 you would use the smoking shed in the winter?

9 A. Yes.

10 Q. Okay. Was the smoking shed used for
11 anything else other than smoking?

12 A. No.

13 Q. Did you use the smoking shed the evening
14 before the fire?

15 A. Yes.

16 Q. Would you have used it multiple times the
17 day before the fire?

18 A. The day before?

19 Q. Correct.

20 A. Yes.

21 Q. Okay. So basically, throughout the day and
22 then into the evening whenever you would have had a
23 cigarette the day before, you would have used the
24 smoking shed?

25 A. Yes.

1 Q. Okay. What would your typical night be?

2 A. Normally that's when I get my stuff done,
3 dishes, laundry.

4 Q. Okay, so you do some household chores?

5 A. Yes.

6 Q. All right. And is your bedtime typically
7 around 2:00 a.m.?

8 A. Yes.

9 Q. And do you typically have a cigarette
10 before you go to bed?

11 A. Yes.

12 Q. And would that have been out in the smoking
13 shed; correct?

14 A. Yes.

15 Q. Do you know if you used the space heater
16 when you had your cigarette right before bed?

17 A. I don't know.

18 Q. Okay. To -- I assume typically to access
19 the smoking shed, you would just go through the kitchen
20 door and down -- sorry it's right here.

21 A. Okay.

22 Q. Go through the kitchen door and then down
23 these stairs that we see?

24 A. Yes.

25 Q. All right. And then -- so the shed doors,

1 as we are looking at them on Exhibit 43, would face the
2 stairs?

3 A. Correct.

4 Q. All right. Would you ever go in to turn on
5 the space heater before you went out for a smoke --

6 A. No.

7 Q. -- to warm up the shed?

8 A. No.

9 Q. Okay. Only when you're sitting there?

10 A. Yes.

11 Q. And when you would go out for a cigarette,
12 would it always just be for one, or would there
13 sometimes be a couple?

14 A. Sometimes a couple.

15 Q. Okay. Do you remember how many cigarettes
16 you had right before you went to bed on -- I guess it
17 would have been February 1, around 2:00 a.m.?

18 A. No.

19 Q. That evening, when you went to bed around
20 2:00 a.m., did you go right into the living room or did
21 you start in the bedroom and then move to the living
22 room?

23 A. I went right to the living room.

24 Q. And was it a -- was there a couch or was
25 there a mattress in there that you slept on?

1 A. It was, like, camping pads, padded eggshell
2 foam on the floor.

3 Q. Okay.

4 A. Can I clarify when I say when I went to
5 bed?

6 Q. Sure.

7 A. 2:00 a.m. is when I got into bed, not when
8 I went outside to go to bed.

9 Q. Okay. Let me clarify that because I'm
10 not --

11 A. Okay.

12 Q. -- I'm not 100 percent sure what you're
13 saying.

14 So 2:00 a.m. is when you got in bed to go
15 to sleep?

16 A. Correct.

17 Q. Okay, but before you got into bed at
18 2:00 a.m., you would have had a cigarette before going
19 to bed?

20 A. Correct.

21 Q. Okay. Was that the clarification that you
22 wanted to make?

23 A. Yeah. One of the questions you said
24 outside at 2:00 a.m. I wouldn't have been outside at
25 2:00 a.m.

1 Q. Okay. You would have been outside a little
2 bit before 2:00 a.m., because 2:00 a.m. is when you
3 went to bed?

4 A. Correct.

5 Q. All right. And how soon before going to
6 bed do you typically have your last cigarette, within,
7 like, a half hour?

8 A. Yes.

9 Q. Okay. And did you have any alcohol the
10 night of January 31st?

11 A. Yes.

12 Q. Okay. Do you know how much you had that
13 evening?

14 A. No.

15 Q. Would it have been a typical day for
16 alcohol consumption for you?

17 A. Yes.

18 Q. As far as when you would consume alcohol,
19 is it more at night or is it throughout the day?

20 A. More at night.

21 Q. Okay. So is it once the kids go down --

22 A. Yes.

23 Q. -- then you will have some alcohol?

24 A. Yes.

25 Q. And do you know, was it Jäger that you were

1 drinking that evening?

2 A. Yes.

3 Q. And how do you typically drink it? Do you
4 have it on ice or in a little shooter or snifter?

5 A. On ice.

6 Q. So on ice, in kind of a normal tumbler
7 glass?

8 A. Well, no, it doesn't go into a glass. I
9 guess it would be, like, a shot glass.

10 Q. Okay. So you're having --

11 A. It's in the freezer.

12 Q. You have it in the freezer?

13 A. Yes.

14 Q. Okay. So that's how it is chilled?

15 A. Yes.

16 Q. I know that Jäger warm is not that good.

17 A. Nasty.

18 Q. All right. So you keep it in the freezer
19 chilled, and then you pour it into a glass from there?

20 A. Yes.

21 Q. Okay. Any other alcohol besides Jäger you
22 would have had?

23 A. That night, probably not. I don't know for
24 sure.

25 Q. Okay. Do you drinks beer as well?

REPORTER'S CERTIFICATE

STATE OF UTAH)

)

COUNTY OF SALT LAKE)

I, ABIGAIL D.W. JOHNSON, a Certified
Shorthand Reporter and Registered Professional
Reporter, hereby certify:

THAT the foregoing proceedings were
taken before me at the time and place therein set
forth, at which time the witness was placed under oath
to tell the truth, the whole truth, and nothing but the
truth; that the proceedings were taken down by me in
shorthand and thereafter my notes were transcribed
through computer-aided transcription; and the foregoing
transcript constitutes a full, true, and accurate
record of such testimony adduced and oral proceedings
had, and of the whole thereof.

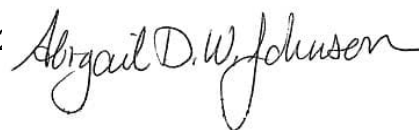
I FURTHER CERTIFY that I am not a
relative or employee of any attorney of the parties,
nor do I have a financial interest in the action.

(X) Review and signature was requested.

() Review and signature was waived.

() Review and signature was not requested.

I have subscribed my name on this
9th day of March, :



ABIGAIL D.W. JOHNSON, RPR, CRR, CRC